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6 Attorneys for Defendant

7
8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 * * *

11
12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 vs.
15 GERARDO ORETEGA,
16 Defendant.

2:11-cr-396-KJD-PAL

**UNOPPOSED MOTION TO CONDUCT
A PRE-PLEA PRESENTENCING
INVESTIGATION REPORT AND
PROPOSED ORDER**

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18 COMES NOW, appointed counsel, Raquel Lazo, Assistant Federal Public Defender,
19 hereby moves this Court request a Pre-Plea Pre-Sentence Investigation Report be prepared by the
20 Probation department.

21 1. The defendant is facing a 10 year mandatory minimum in this case. It appears
22 that he is facing time in excess of the minium.

23 2. There is currently a proposed plea offer in this case. However, it is unclear
24 as to what defendant's criminal history category score is. The parties disagree as to this sole issue.
25 A pre-plea presentence report will help promote continued negotiations. It will further promote
26 judicial economy and aid in the manner in which this case is ultimately resolved.

27 3. Undersigned counsel therefore respectfully requests an order that the
28 Department of Probation conduct a pre-plea presentence investigation report as soon as possible.

1 4. Undersigned counsel has spoken to the prosecutor, Assistant United States
2 Attorney Cristina Silva regarding this request and he has no opposition

3 DATED this 10th day of August, 2012.

4 RENE L. VALLADARES
5 Federal Public Defender

6 */s/ Raquel Lazo*

7 _____
8 RAQUEL LAZO
9 Assistant Federal Public Defender

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7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 UNITED STATES OF AMERICA,
10 Plaintiff,
11 vs.
12 GERARDO ORTEGA,
13 Defendant.
14

2:11-cr-396-KJD-PAL

ORDER

15 IT IS HEREBY ORDERED that the Probation Department will prepare a Pre-Plea
16 Pre-Sentence Investigation Report on Defendant Gerardo Ortega.

17 DATED this the ^{10th} day of August, 2012.

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21 DISTRICT COURT JUDGE
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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Law Offices of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on August 10, 2012, she served an electronic copy of the above and foregoing

UNOPPOSED MOTION TO CONDUCT A PRE-PLEA PRESENTENCING

INVESTIGATION REPORT AND PROPOSED ORDER

by electronic service (ECF) to the person named below:

DANIEL BOGDEN
United States Attorney
333 Las Vegas Blvd. So., 5th Floor
Las Vegas, Nevada 89101

CRISTINA SILVA
Assistant United States Attorney
333 Las Vegas Blvd. So. 5th Floor
Las Vegas, NV 89101

/s/ Karen Brokaw

Employee of the Federal Public Defender